

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation

Against:

ANJANA SAILESH SURA, M.D.

Physician's & Surgeon's

Certificate No. A 30390

Respondent.

File No: 11-2004-162151

OAH No: L2007110503

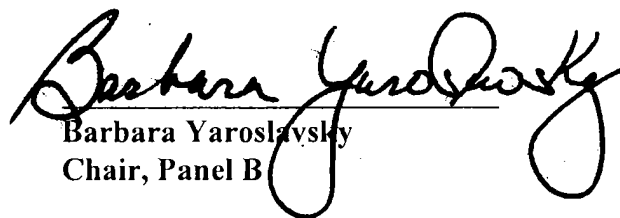
DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby accepted and adopted as the Decision and Order by the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on August 20, 2008

IT IS SO ORDERED July 21, 2008

MEDICAL BOARD OF CALIFORNIA


Barbara Yaroslavsky
Chair, Panel B

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 PAUL C. AMENT
Supervising Deputy Attorney General
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7 Attorneys for Complainant

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 ANJANA SAILESH SURA, M.D.
13 1336 W. Whittier Blvd.
Montebello, CA 90640
Physician and Surgeon Certificate No. A30390

14 Respondent.
15

Case No. 11-2004-162151

OAH No. L2007110503

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the
18 above-entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Barbara Johnston (Complainant) is the Executive Director of the Medical
21 Board of California, Department of Consumer Affairs (Board). She brought this action solely in
22 her official capacity and is represented in this matter by Edmund G. Brown Jr., Attorney General
23 of the State of California, by John E. Rittmayer, Deputy Attorney General.

24 2. Respondent Anjana Sailesh Sura, M.D. (Respondent) is represented in this
25 proceeding by attorney Timothy Tierney, whose address is 626 Wilshire Boulevard Suite
26 Number 320, Los Angeles, California 90017.

27 3. On or about August 24, 1976, the Medical Board of California issued
28 Physician and Surgeon Certificate No. A30390 to Anjana Sailesh Sura, M.D. (Respondent). The

1 Physician and Surgeon Certificate was in full force and effect at all times relevant to the charges
2 brought in Accusation No. 11-2004-162151 and will expire on November 30, 2009, unless
3 renewed.

4 JURISDICTION

5 4. Accusation No. 11-2004-162151 was filed before the Board and is
6 currently pending against Respondent. The Accusation and all other statutorily required
7 documents were properly served on Respondent on October 31, 2007. Respondent timely filed
8 her Notice of Defense contesting the Accusation. A copy of Accusation No. 11-2004-162151 is
9 attached as exhibit A and incorporated herein by reference.

10 ADVISEMENT AND WAIVERS

11 5. Respondent has carefully read, fully discussed with counsel, and
12 understands the charges and allegations in Accusation No. 11-2004-162151. Respondent has
13 also carefully read, fully discussed with counsel, and understands the effects of this Stipulated
14 Settlement and Disciplinary Order.

15 6. Respondent is fully aware of her legal rights in this matter, including the
16 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
17 counsel at her own expense; the right to confront and cross-examine the witnesses against her;
18 the right to present evidence and to testify on her own behalf; the right to the issuance of
19 subpoenas to compel the attendance of witnesses and the production of documents; the right to
20 reconsideration and court review of an adverse decision; and all other rights accorded by the
21 California Administrative Procedure Act and other applicable laws.

22 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
23 each and every right set forth above.

24 CULPABILITY

25 8. Respondent understands that the charges and allegations in Accusation
26 No. 11-2004-162151, if proven at a hearing, constitute cause for imposing discipline upon her
27 Physician and Surgeon certificate.

28 9. Respondent admits that the Board could establish a prima facie case of

1 repeated negligent acts in violation of Business and Professions Code section 2234, subdivision
2 (c) and failure to maintain adequate and accurate records in violation of Business and
3 Professions Code section 2266, and waives her right to present a defense thereto. Respondent
4 hereby gives up her right to contest that cause for discipline exists based on that charge.

5 CONTINGENCY

6 10. This stipulation shall be subject to approval by the Board. Respondent
7 understands and agrees that counsel for Complainant and the staff of the Board may
8 communicate directly with the Board regarding this stipulation and settlement, without notice to
9 or participation by Respondent or her counsel. By signing the stipulation, Respondent
10 understands and agrees that she may not withdraw her agreement or seek to rescind the
11 stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this
12 stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be
13 of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
14 between the parties, and the Board shall not be disqualified from further action by having
15 considered this matter.

16 11. The parties understand and agree that facsimile copies of this Stipulated
17 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
18 force and effect as the originals.

19 12. In consideration of the foregoing admissions and stipulations, the parties
20 agree that the Board may, without further notice or formal proceeding, issue and enter the
21 following Disciplinary Order:

22 DISCIPLINARY ORDER

23 IT IS HEREBY ORDERED that Physician and Surgeon Certificate No. A30390
24 issued to Respondent Anjana Sailesh Sura, M.D. (Respondent) is revoked. However, the
25 revocation is stayed and Respondent is placed on probation for thirty-five (35) months on the
26 following terms and conditions.

27 1. MEDICAL RECORD KEEPING COURSE Within 60 calendar days of
28 the effective date of this decision, respondent shall enroll in a course in medical record keeping,

1 at respondent's expense, approved in advance by the Board or its designee. Failure to
2 successfully complete the course during the first six months of probation is a violation of
3 probation.

4 A medical record keeping course taken after the acts that gave rise to the charges
5 in the Accusation, but prior to the effective date of the Decision may, in the sole discretion of the
6 Board or its designee, be accepted towards the fulfillment of this condition if the course would
7 have been approved by the Board or its designee had the course been taken after the effective
8 date of this Decision.

9 Respondent shall submit a certification of successful completion to the Board or
10 its designee not later than 15 calendar days after successfully completing the course, or not later
11 than 15 calendar days after the effective date of the Decision, whichever is later.

12 2. ETHICS COURSE Within 60 calendar days of the effective date of this
13 Decision, respondent shall enroll in a course in ethics, at respondent's expense, approved in
14 advance by the Board or its designee. Failure to successfully complete the course during the first
15 year of probation is a violation of probation.

16 An ethics course taken after the acts that gave rise to the charges in the
17 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the
18 Board or its designee, be accepted towards the fulfillment of this condition if the course would
19 have been approved by the Board or its designee had the course been taken after the effective
20 date of this Decision.

21 Respondent shall submit a certification of successful completion to the Board or
22 its designee not later than 15 calendar days after successfully completing the course, or not later
23 than 15 calendar days after the effective date of the Decision, whichever is later.

24 3. CLINICAL TRAINING PROGRAM Within 60 calendar days of the
25 effective date of this Decision, respondent shall enroll in a clinical training or educational
26 program equivalent to the Physician Assessment and Clinical Education Program (PACE)
27 offered at the University of California - San Diego School of Medicine ("Program").

28 The Program shall consist of a Comprehensive Assessment program comprised of

1 a two-day assessment of respondent's physical and mental health; basic clinical and
2 communication skills common to all clinicians; and medical knowledge, skill and judgment
3 pertaining to respondent's specialty or sub-specialty, and at minimum, a 40 hour program of
4 clinical education in the area of practice in which respondent was alleged to be deficient and
5 which takes into account data obtained from the assessment, Decision(s), Accusation(s), and any
6 other information that the Board or its designee deems relevant. Respondent shall pay all
7 expenses associated with the clinical training program.

8 Based on respondent's performance and test results in the assessment and clinical
9 education, the Program will advise the Board or its designee of its recommendation(s) for the
10 scope and length of any additional educational or clinical training, treatment for any medical
11 condition, treatment for any psychological condition, or anything else affecting respondent's
12 practice of medicine. Respondent shall comply with Program recommendations.

13 At the completion of any additional educational or clinical training, respondent
14 shall submit to and pass an examination. The Program's determination whether or not
15 respondent passed the examination or successfully completed the Program shall be binding.

16 Respondent shall complete the Program not later than six months after
17 respondent's initial enrollment unless the Board or its designee agrees in writing to a later time
18 for completion.

19 Failure to participate in and complete successfully all phases of the clinical
20 training program outlined above is a violation of probation.

21 4. MONITORING Within 30 calendar days of the effective date of this
22 Decision, respondent shall submit to the Board or its designee for prior approval as a practice,
23 monitor(s), the name and qualifications of one or more licensed physicians and surgeons whose
24 licenses are valid and in good standing, and who are preferably American Board of Medical
25 Specialties (ABMS) certified. A monitor shall have no prior or current business or personal
26 relationship with respondent, or other relationship that could reasonably be expected to
27 compromise the ability of the monitor to render fair and unbiased reports to the Board, including,
28 but not limited to, any form of bartering, shall be in respondent's field of practice, and must

1 agree to serve as respondent's monitor. Respondent shall pay all monitoring costs.

2 The Board or its designee shall provide the approved monitor with copies of the
3 Decision(s) and Accusation(s), and a proposed monitoring plan. Within 15 calendar days of
4 receipt of the Decision(s), Accusation(s), and proposed monitoring plan, the monitor shall
5 submit a signed statement that the monitor has read the Decision(s) and Accusation(s), fully
6 understands the role of a monitor, and agrees or disagrees with the proposed monitoring plan. If
7 the monitor disagrees with the proposed monitoring plan, the monitor shall submit a revised
8 monitoring plan with the signed statement.

9 Within 60 calendar days of the effective date of this Decision, and continuing for
10 the first 24 months of probation, respondent's practice shall be monitored by the approved
11 monitor. Respondent shall make all records available for immediate inspection and copying on
12 the premises by the monitor at all times during business hours, and shall retain the records for the
13 entire term of probation.

14 The monitor(s) shall submit a quarterly written report to the Board or its designee
15 which includes an evaluation of respondent's performance, indicating whether respondent's
16 practices are within the standards of practice of medicine or billing, or both, and whether
17 respondent is practicing medicine safely, billing appropriately or both.

18 It shall be the sole responsibility of respondent to ensure that the monitor submits
19 the quarterly written reports to the Board or its designee within 10 calendar days after the end of
20 the preceding quarter.

21 If the monitor resigns or is no longer available, respondent shall, within 5
22 calendar days of such resignation or unavailability, submit to the Board or its designee, for prior
23 approval, the name and qualifications of a replacement monitor who will be assuming that
24 responsibility within 15 calendar days. If respondent fails to obtain approval of a replacement
25 monitor within 60 days of the resignation or unavailability of the monitor, respondent shall be
26 suspended from the practice of medicine until a replacement monitor is approved and prepared to
27 assume immediate monitoring responsibility. Respondent shall cease the practice of medicine
28 within 3 calendar days after being so notified by the Board or designee.

1 In lieu of a monitor, respondent may participate in a professional enhancement
2 program equivalent to the one offered by the Physician Assessment and Clinical Education
3 Program at the University of California, San Diego School of Medicine, that includes, at
4 minimum, quarterly chart review, semi-annual practice assessment, and semi-annual review of
5 professional growth and education. Respondent shall participate in the professional
6 enhancement program at respondent's expense during the term of probation.

7 Failure to maintain all records, or to make all appropriate records available for
8 immediate inspection and copying on the premises, or to comply with this condition as outlined
9 above is a violation of probation.

10 5. NOTIFICATION Prior to engaging in the practice of medicine, the
11 respondent shall provide a true copy of the Decision(s) and Accusation(s) to the Chief of Staff or
12 the Chief Executive Officer at every hospital where privileges or membership are extended to
13 respondent, at any other facility where respondent engages in the practice of medicine, including
14 all physician and locum tenens registries or other similar agencies, and to the Chief Executive
15 Officer at every insurance carrier which extends malpractice insurance coverage to respondent.
16 Respondent shall submit proof of compliance to the Board or its designee within 15 calendar
17 days.

18 This condition shall apply to any change(s) in hospitals, other facilities or
19 insurance carrier.

20 6. SUPERVISION OF PHYSICIAN ASSISTANTS During probation,
21 respondent is prohibited from supervising physician assistants.

22 7. OBEY ALL LAWS Respondent shall obey all federal, state and local
23 laws, all rules governing the practice of medicine in California, and remain in full compliance
24 with any court ordered criminal probation, payments and other orders.

25 8. QUARTERLY DECLARATIONS Respondent shall submit quarterly
26 declarations under penalty of perjury on forms provided by the Board, stating whether there has
27 been compliance with all the conditions of probation. Respondent shall submit quarterly
28 declarations not later than 10 calendar days after the end of the preceding quarter.

1 9. PROBATION UNIT COMPLIANCE Respondent shall comply with the
2 Board's probation unit. Respondent shall, at all times, keep the Board informed of respondent's
3 business and residence addresses. Changes of such addresses shall be immediately
4 communicated in writing to the Board or its designee. Under no circumstances shall a post
5 office box serve as an address of record, except as allowed by Business and Professions Code
6 section 2021(b).

7 Respondent shall not engage in the practice of medicine in respondent's place of
8 residence. Respondent shall maintain a current and renewed California physician's and
9 surgeon's license.

10 Respondent shall immediately inform the Board, or its designee, in writing, of
11 travel to any areas outside the jurisdiction of California which lasts, or is contemplated to last,
12 more than 30 calendar days.

13 10. INTERVIEW WITH THE BOARD, OR ITS DESIGNEE Respondent
14 shall be available in person for interviews either at respondent's place of business or at the
15 probation unit office, with the Board or its designee, upon request at various intervals, and either
16 with or without prior notice throughout the term of probation.

17 11. RESIDING OR PRACTICING OUT-OF-STATE In the event
18 respondent should leave the State of California to reside or to practice, respondent shall notify
19 the Board or its designee in writing 30 calendar days prior to the dates of departure and return.
20 Non-practice is defined as any period of time exceeding 30 calendar days in which respondent is
21 not engaging in any activities defined in Sections 2051 and 2052 of the Business and Professions
22 Code.

23 All time spent in an intensive training program outside the State of California
24 which has been approved by the Board or its designee shall be considered as time spent in the
25 practice of medicine within the State. A Board-ordered suspension of practice shall not be
26 considered as a period of non-practice. Periods of temporary or permanent residence or practice
27 outside California will not apply to the reduction of the probationary term. Periods of temporary
28 or permanent residence or practice outside California will relieve respondent of the

1 responsibility to comply with the probationary terms and conditions with the exception of this
2 condition and the following terms and conditions of probation: Obey All Laws; Probation Unit
3 Compliance; and Cost Recovery.

4 Respondent's license shall be automatically cancelled if respondent's periods of
5 temporary or permanent residence or practice outside California total two years. However,
6 respondent's license shall not be cancelled as long as respondent is residing and practicing
7 medicine in another state of the United States and is on active probation with the medical
8 licensing authority of that state, in which case the two year period shall begin on the date
9 probation is completed or terminated in that state.

10 12. FAILURE TO PRACTICE MEDICINE - CALIFORNIA RESIDENT

11 In the event respondent resides in the State of California and for any reason
12 respondent stops practicing medicine in California, respondent shall notify the Board or its
13 designee in writing within 30 calendar days prior to the dates of non-practice and return to
14 practice. Any period of non-practice within California, as defined in this condition, will not
15 apply to the reduction of the probationary term and does not relieve respondent of the
16 responsibility to comply with the terms and conditions of probation. Non-practice is defined as
17 any period of time exceeding 30 calendar days in which respondent is not engaging in any
18 activities defined in sections 2051 and 2052 of the Business and Professions Code.

19 All time spent in an intensive training program which has been approved by the
20 Board or its designee shall be considered time spent in the practice of medicine. For purposes of
21 this condition, non-practice due to a Board-ordered suspension or in compliance with any other
22 condition of probation, shall not be considered a period of non-practice.

23 Respondent's license shall be automatically cancelled if respondent resides in
24 California and for a total of two years, fails to engage in California in any of the activities
25 described in Business and Professions Code sections 2051 and 2052.

26 13. COMPLETION OF PROBATION Respondent shall comply with all
27 financial obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to
28 the completion of probation. Upon successful completion of probation, respondent's certificate

1 shall be fully restored.

2 14. VIOLATION OF PROBATION Failure to fully comply with any term or
3 condition of probation is a violation of probation. If respondent violates probation in any
4 respect, the Board, after giving respondent notice and the opportunity to be heard, may revoke
5 probation and carry out the disciplinary order that was stayed. If an Accusation, Petition to
6 Revoke Probation, or an Interim Suspension Order is filed against respondent during probation,
7 the Board shall have continuing jurisdiction until the matter is final, and the period of probation
8 shall be extended until the matter is final.

9 15. LICENSE SURRENDER Following the effective date of this Decision, if
10 respondent ceases practicing due to retirement, health reasons or is otherwise unable to satisfy
11 the terms and conditions of probation, respondent may request the voluntary surrender of
12 respondent's license. The Board reserves the right to evaluate respondent's request and to
13 exercise its discretion whether or not to grant the request, or to take any other action deemed
14 appropriate and reasonable under the circumstances. Upon formal acceptance of the surrender,
15 respondent shall within 15 calendar days deliver respondent's wallet and wall certificate to the
16 Board or its designee and respondent shall no longer practice medicine. Respondent will no
17 longer be subject to the terms and conditions of probation and the surrender of respondent's
18 license shall be deemed disciplinary action. If respondent re-applies for a medical license, the
19 application shall be treated as a petition for reinstatement of a revoked certificate.


20 16. PROBATION MONITORING COSTS Respondent shall pay the costs
21 associated with probation monitoring each and every year of probation, as designated by the
22 Board. Such costs shall be payable to the Medical Board of California and delivered to the
23 Board or its designee no later than January 31 of each calendar year. Failure to pay costs within
24 30 calendar days of the due date is a violation of probation.

25 ACCEPTANCE

26 I have carefully read the above Stipulated Settlement and Disciplinary Order and
27 have fully discussed it with my attorney, Timothy Tierney. I understand the stipulation and the
28 effect it will have on my Physician and Surgeon Certificate. I enter into this Stipulated

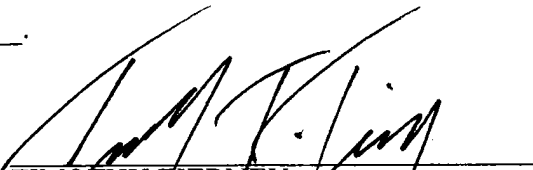
1 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
2 bound by the Decision and Order of the Medical Board of California.

3 DATED: _____.

4 
5 ANJANA SAILESH SURA, M.D.
6 Respondent

7
8 I have read and fully discussed with Respondent Anjana Sailesh Sura, M.D. the
9 terms and conditions and other matters contained in the above Stipulated Settlement and
10 Disciplinary Order. I approve its form and content.

11 DATED: 5/12/08.

12 
13 TIMOTHY TIERNEY
14 Attorney for Respondent


15 ENDORSEMENT

16 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
17 submitted for consideration by the Medical Board of California of the Department of Consumer
18 Affairs.

19 DATED: June 17, 2008

20 EDMUND G. BROWN JR., Attorney General
21 of the State of California

22 PAUL C. AMENT
23 Supervising Deputy Attorney General

24 
25 JOHN E. RITTMAYER
26 Deputy Attorney General

27 Attorneys for Complainant

Exhibit A

Accusation No. 11-2004-162151

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 PAUL C. AMENT
Supervising Deputy Attorney General
3 JOHN E. RITTMAYER, State Bar No. 67291
Deputy Attorney General
4 California Department of Justice
300 South Spring Street, Suite 1702
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7 Attorneys for Complainant

8 **BEFORE THE**
9 **DIVISION OF MEDICAL QUALITY**
10 **MEDICAL BOARD OF CALIFORNIA**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 11-2004-162151

13 ANJANA SAILESH SURA, M.D.

OAH No.

14 1336 W. Whittier Blvd.
15 Montebello, CA 90640

A C C U S A T I O N

16 Physician and Surgeon Certificate No. A30390

17 Respondent.

18 Complainant alleges:

19 PARTIES

20 1. Barbara Johnston (complainant) brings this Accusation solely in her
21 official capacity as the Executive Director of the Medical Board of California, Department of
22 Consumer Affairs (Board).

23 2. On or about August 24, 1976, the Board issued Physician and Surgeon
24 Certificate Number A30390 to Anjana Sailesh Sura, M.D. (respondent). The Physician and
25 Surgeon Certificate was in full force and effect at all times relevant to the charges brought herein
26 and will expire on November 30, 2007, unless renewed.

27 JURISDICTION

28 3. This Accusation is brought before the Division of Medical Quality

1 (Division) of the Board under the authority of the following laws. All section references are to
2 the Business and Professions Code unless otherwise indicated.

3 4. Section 2227 of the Code provides that a licensee who is found guilty
4 under the Medical Practice Act may have his or her license revoked, suspended for a period not
5 to exceed one year, placed on probation and required to pay the costs of probation monitoring, or
6 such other action taken in relation to discipline as the Division deems proper.

7 5. Section 2234 of the Code states in part:

8 "The Division of Medical Quality shall take action against any licensee who is
9 charged with unprofessional conduct. In addition to other provisions of this article,
10 unprofessional conduct includes, but is not limited to, the following:

11 "(a) Violating or attempting to violate, directly or indirectly, assisting in or
12 abetting the violation of, or conspiring to violate any provision of this chapter [Chapter 5,
13 the Medical Practice Act].

14 "(b) Gross negligence.

15 "(c) Repeated negligent acts.

16 "..."

17 "(d) Incompetence

18 "..."

19 6. At all times material hereto Section 2242 of the Code stated in part:

20 "(a) Prescribing, dispensing, or furnishing dangerous drugs as defined in Section
21 4022 without a good faith prior examination and a medical indication therefor, constitutes
22 unprofessional conduct.

23 "..."

24 7. Section 2266 of the Code states: "The failure of a physician and surgeon to
25 maintain adequate and accurate records relating to the provision of services to their patients
26 constitutes unprofessional conduct."

27 8. Section 725 of the Code states in part:

28 "Repeated acts of clearly excessive prescribing or administering of drugs or treatment,

1 repeated acts of clearly excessive use of diagnostic procedures, or repeated acts of clearly
2 excessive use of diagnostic or treatment facilities as determined by the standard of the
3 community of licensees is unprofessional conduct for a physician and surgeon. . . ”

4 FIRST CAUSE FOR DISCIPLINE

5 Repeated Negligent Acts - Patient N.H.¹

6 9. Respondent is subject to disciplinary action under Section 2234,
7 subdivision (c), of the Code (repeated negligent acts) in the care and treatment of patient N.H. as
8 follows.

9 10. Respondent ordered a liver function test when patient N.H. had no
10 symptoms to warrant this work up. Ordering liver function tests in this patient was a simple
11 departure from the standard of practice.

12 11. Respondent did not order a basic complete blood count which would
13 evaluate whether the patient had developed anemia from her heavy menstrual cycles. The lack of
14 documentation for ordering the blood tests without ordering a complete blood count represents a
15 simple departure from the standard of practice.

16 SECOND CAUSE FOR DISCIPLINE

17 Clearly Excessive Use of Diagnostic Procedures - Patient N.H.

18 12. Respondent is subject to disciplinary action under Section 725 of the Code
19 (repeated acts of clearly excessive use of diagnostic procedures) in the care and treatment of
20 patient N.H. as follows.

21 13. The allegations of the First Cause for Discipline are incorporated herein as
22 if fully set forth.

23 THIRD CAUSE FOR DISCIPLINE

24 Inadequate Records - Patient N.H.

25 14. Respondent is subject to disciplinary action under Section 2266 of the
26

27 1. Initials are used to identify the patients in this Accusation in order to protect their rights
28 to privacy. The names of the patients will be disclosed to respondent pursuant to a request for
discovery.

1 Code (inadequate records) in the care and treatment of patient N.H. as follows.

2 15. The allegations of the First and Second Causes for Discipline are
3 incorporated herein as if fully set forth.

4 FOURTH CAUSE FOR DISCIPLINE

5 Repeated Negligent Acts - Patient C.N.

6 16. Respondent is subject to disciplinary action under Section 2234,
7 subdivision (c), of the Code (repeated negligent acts) in the care and treatment of patient C.N. as
8 follows.

9 17. C.N.'s records do not indicate the results of the Pap smear that was
10 performed on April 19, 2004. Also, there was no documentation to support respondent's attempt
11 to track down the results of the Pap smear. Not following up on the Pap smear represents a
12 simple departure from the standard of practice.

13 18. The patient's liver enzymes were elevated. It is crucial for the physician to
14 follow up on abnormal liver enzymes. These abnormalities were not addressed, which amounts
15 to a simple departure from the standard of practice.

16 19. Respondent ordered a liver panel without documenting any medical
17 indication for it. This represents a simple departure from the standard of care.

18 20. A lipid panel ordered by respondent showed markedly high cholesterol.
19 Respondent advised C.N. "for reducing fatty food intake, fibers exercise and increase liquid
20 intake." Increasing fluid intake is not a recognized treatment for hypercholesterolemia. This
21 error in recommendation represents a simple departure from the standard of care.

22 21. Many notations in respondent's chart on this patient are illegible. Failure to
23 maintain legible records is a simple departure from the standard of care.

24 FIFTH CAUSE FOR DISCIPLINE

25 Gross Negligence - Patient J.P.

26 22. Respondent is subject to disciplinary action under Section 2234, subdivision
27 (b), of the Code (gross negligence) in the care and treatment of patient J.P. as follows.

28 23. J.P. reported an abnormal Pap smear. Respondent neither addressed

1 information nor did she perform another Pap smear. Respondent agreed to provide services for this
2 patient under the Family PACT guidelines and a basic cervical screening examination falls under the
3 guidelines. Not addressing an abnormal Pap smear represents an extreme departure from the
4 standard of practice.

5 SIXTH CAUSE FOR DISCIPLINE

6 Repeated Negligent Acts - Patient J.P.

7 24. Respondent is subject to disciplinary action under Section 2234, subdivision
8 (c), of the Code (repeated negligent acts) in the care and treatment of patient J.P. as follows.

9 25. The allegations of the Sixth Cause For Discipline are incorporated herein as
10 if fully set forth.

11 26. J.P. reported heavy menstrual bleeding. Respondent did not formulate, or did
12 not record, a plan of investigation or followup such as ordering a basic blood count. This represents
13 a simple departure from the standard of care.

14 27. Respondent ordered a liver function tests for J.P., who had no symptoms
15 indicating the need for the test. This represents a simple departure from the standard of care.

16 SEVENTH CAUSE FOR DISCIPLINE

17 Inadequate Records - Patient J.P.

18 28. Respondent is subject to disciplinary action under Section 2266 of the Code
19 (inadequate records) in the care and treatment of patient J.P. as follows.

20 29. The allegations of the Fifth and Sixth Causes for Discipline are incorporated
21 herein as if fully set forth.

22 EIGHTH CAUSE FOR DISCIPLINE

23 Repeated Negligent Acts - Patient E.R.

24 30. Respondent is subject to disciplinary action under Section 2234, subdivision
25 (c), of the Code (repeated negligent acts) in the care and treatment of patient E.R. as follows.

26 31. E.R.'s lipid panel showed elevated cholesterol. There is no mention in
27 respondent's records concerning E.R.'s treatment or of a followup plan. Not addressing the patient's
28 elevated cholesterol represents a simple departure from the standard of practice.

1 32. The patient's liver enzymes were elevated. Respondent failed to follow up
2 on this abnormal finding. This represents a simple departure from the standard of practice.

3 33. Respondent examined E.R. on April 27, 2004. The patient complained of a
4 burning sensation when she urinated. On that date respondent seems to have considered three
5 possible diagnoses for this problem: a urinary tract infection, a sexually transmitted disease or pelvic
6 inflammatory disease. However, respondent on that date prescribed Septra, an antibiotic effective
7 only against the urinary tract infection. This is a simple departure from the standard of care.

8 NINTH CAUSE FOR DISCIPLINE

9 Inadequate Records - Patient E.R.

10 34. Respondent is subject to disciplinary action under Section 2266 of the Code
11 (inadequate records) in the care and treatment of patient E.R. as follows.

12 35. The allegations of the Eighth Cause for Discipline are incorporated herein as
13 if fully set forth.

14 TENTH CAUSE FOR DISCIPLINE

15 Repeated Negligent Acts - Patient G.S.

16 36. Respondent is subject to disciplinary action under Section 2234, subdivision
17 (c), of the Code (repeated negligent acts) in the care and treatment of patient G.S. as follows.

18 37. G.S. tested positive for chlamydia. Title 17, California Code of Regulations,
19 section 2500 required respondent to report this fact to the local health officer. Respondent's records
20 on G.S. contain no documentation that respondent did so. Failure to report constitutes a simple
21 departure from the standard of practice.

22 38. Respondent observed a large amount of thick, yellow vaginal discharge, but
23 did not have it microscopically examined. She prescribed MetroGel, a compound of metronidazole,
24 a dangerous drug as defined in Section 4022 of the Code, but did not record the exact diagnosis
25 justifying the prescription. Metronidazole can treat some, but not all, vaginal infections. Failure to
26 perform or record a microscopic examination of secretions in the analysis of a vaginal discharge is
27 a simple departure from the standard of care.

28 39. G.S.'s blood tests showed elevated total cholesterol of 329 mg/dl. The normal

1 desirable reading is no more than 200mg/dl. Respondent took no action on this elevated reading.
2 Not addressing the patient's elevated cholesterol in the chart represents a simple departure from the
3 standard of practice.

4 40. G.S.'s liver enzymes were elevated. Respondent failed to follow up on this
5 abnormal finding. This represents a simple departure from the standard of practice.

6 41. The patient had no symptoms for the liver function test respondent ordered.
7 Under the circumstances, ordering the liver function test represents a simple departure from the
8 standard of practice.

9 ELEVENTH CAUSE FOR DISCIPLINE

10 Prescribing Without Good Faith Examination and Medical Indication - Patient G.S.

11 42. Respondent is subject to disciplinary action under section 2242 of the Code
12 (prescribing without a good faith prior examination and medical indication) as follows:

13 43. The allegations of paragraph 38 are incorporated herein as if fully set forth.

14 TWELFTH CAUSE FOR DISCIPLINE

15 Incompetence - Patient G.S.

16 44. Respondent is subject to disciplinary action under Section 2234, subdivision
17 (d), of the Code (incompetence), in his care and treatment of patient G.S. as follows:

18 45. The allegations of paragraph 38 are incorporated herein as if fully set forth.

19 46. In failing to test, Respondent displayed a lack of knowledge about the standard
20 diagnostic methods necessary for accurate diagnosis that should precede the treatment of vaginitis.

21 THIRTEENTH CAUSE FOR DISCIPLINE

22 Inadequate Records - Patient G.S.

23 47. Respondent is subject to disciplinary action under Section 2266 of the Code
24 (inadequate records) in the care and treatment of patient G.S. as follows.

25 48. The allegations of the Eleventh Cause for Discipline are incorporated herein
26 as if fully set forth.

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1 FOURTEENTH CAUSE FOR DISCIPLINE

2 Repeated Negligent Acts - Patients N.H., C.N., J.P., E.R. and G.S.

3 49. Respondent is subject to disciplinary action under Section 2234,
4 subdivision (c), (repeated negligent acts) in the care and treatment of patients N.H., C.N., J.P.,
5 E.R. and G.S. as follows:

6 50. The allegations of the First, Fourth, Sixth, Eighth and Tenth Causes For
7 Discipline are incorporated herein as if fully set forth.

8 51. Respondent's acts and/or omissions as set forth, whether proven jointly, or
9 in any combination thereof, constitute departures from the standard of care and cause for
10 discipline pursuant to Section 2234, subdivision (c), of the Code.

11 FIFTEENTH CAUSE FOR DISCIPLINE

12 Clearly Excessive Use of Diagnostic Procedures - Patients N.H., C.N., J.P., and G.S.

13 52. Respondent is subject to disciplinary action under Section 725 of the Code
14 (repeated acts of clearly excessive use of diagnostic procedures) in the care and treatment of
15 patients N.H., C.N., J.P., and G.S. as follows.

16 53. The allegations of the Second, Fourth, Sixth and Tenth Causes For
17 Discipline are incorporated herein as if fully set forth.

18 54. Respondent's acts and/or omissions as set forth, whether proven jointly, or
19 in any combination thereof, constitute repeated acts of clearly excessive use of diagnostic
20 procedures and cause for discipline pursuant to Section 725 of the Code.

21 PRAYER

22 WHEREFORE, Complainant requests that a hearing be held on the matters herein
23 alleged, and that following the hearing, the Division of Medical Quality issue a decision:


24 1. Revoking or suspending Physician and Surgeon Certificate Number
25 A30390, issued to Anjana Sailesh Sura, M.D.;

26 2. Revoking, suspending or denying approval of Anjana Sailesh Sura, M.D.'s
27 authority to supervise physician's assistants, pursuant to Section 3527 of the Code;
28

1 3. Ordering Anjana Sailesh Sura, M.D. to pay the costs of probation
2 monitoring if placed on probation; and,

3 4. Taking such other and further action as deemed necessary and proper.
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5 DATED: October 31, 2007
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9 BARBARA JOHNSTON
10 Executive Director
11 Medical Board of California
12 Department of Consumer Affairs
13 State of California
14 Complainant
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